

Amendments to House Bill No. 603  
1st Reading Copy

For the House Education Committee

Prepared by Dan Whyte  
March 21, 2011 (1:34pm)

1. Title, page 1, line 11.

Strike: "PROVIDING RULEMAKING AUTHORITY;"

2. Title, page 1, line 12.

Following: "COSTS;"

Insert: "PROVIDING SPENDING AUTHORITY;"

3. Page 2, lines 9 through 11.

Strike: lines 9 through 11 in their entirety

4. Page 4.

Strike: lines 14 and 15

Insert: "There is an independent state public charter school  
commission with statewide chartering jurisdiction and  
authority."

5. Page 4, lines 19 and 20.

Strike: "by the governor and are subject to the following  
qualifications:"

Insert: "as follows:"

(a) three members appointed by the governor;

(b) three members appointed by the president of the senate;

and

(c) three members appointed by the speaker of the house.

(4) The commission members are subject to the following  
qualifications:"

Renumber: subsequent subsections

6. Page 4, line 21.

Strike: "and"

Following: line 21

Insert: "(b) no more than two members may be public employees;

(c) one of the public employee members may be from the board  
of public education; and"

Renumber: subsequent subsections

7. Page 4, line 22.

Following: "governor"

Insert: ", president of the senate, and speaker of the house"

8. Page 4, lines 28 through 30.

Strike: "Members" on line 28 through "." on line 30.

Insert: "Each appointing authority shall appoint one member to a  
4-year term, one member to a 3-year term, and one member to a 2-  
year term."

9. Page 5, line 7.

Following: "office"

Insert: "", including but not limited to failure to approve an authorizer without just cause and interference with the functions of the commission as set forth in [sections 1 through 17]"

10. Page 5, line 9.

Strike: "subsection (3)"

Insert: "subsections (3) and (4)"

11. Page 5, following line 11.

Insert: "(10) The commission is authorized to receive and expend gifts, grants, and donations of any kind from any public or private entity to carry out the purposes of [sections 1 through 17], subject to the terms and conditions under which they are given.

(11) The commission is allocated to the department of administration for administrative purposes only as prescribed by 2-15-121, with the exception of 2-15-121(2)(d). The commission shall hire employees necessary to carry out the purposes of [sections 1 through 17]."

12. Page 5, line 24.

Strike: "subsection (4)"

Insert: "this section"

13. Page 8, line 23.

Following: "funding"

Strike: "and an oversight fee"

14. Page 8, line 24.

Following: "state."

Insert: "Authorizer funding is financed through an oversight fee."

15. Page 21, lines 23 and 24.

Following: "unless"

Strike: "the" on line 23 through "school" on line 24

Insert: ": (a) the public charter school is being converted from an existing public school;

(b) the school district elects to establish a public charter school;

(c) the school district elects to convert a grade or grades to a public charter school from an existing school;

(d) the public charter school is a tribal charter school; or

(e) the public charter school is a virtual public charter school"

16. Page 22, line 6.

Following: "provisions."

Insert: "Funds must be paid from the state directly to a public charter school in the same manner and at the same time as

funds are paid to public school districts under this title."

17. Page 22, line 7.

Following: "For"

Strike: "budgeting purposes,"

Insert: "receipt of BASE aid as defined in 20-9-306 or other county equalization aid,"

18. Page 23, line 25 through page 24, line 24.

Strike: subsection (10) in its entirety

19. Page 24, line 27.

Strike: "on"

Insert: "by"

20. Page 25, lines 6 and 7.

Following: "20-9-311"

Strike: "and approved by the superintendent of public instruction"

21. Page 25, line 18.

Following: "chapter 9."

Insert: "A public charter school may expend funds according to its charter contract and is not subject to budget restrictions under Title 20, chapter 9."

22. Page 25, lines 26 through 28.

Strike: subsection (c) in its entirety

ReNUMBER: subsequent subsections

23. Page 26, lines 9 through 11.

Strike: subsection (8) in its entirety

Insert: "(8) Nothing in [sections 1 through 17] may be construed to prohibit any person or organization from providing funding or other assistance for the establishment or operation of a public charter school. The governing board of a public charter school is authorized to accept gifts, donations, and grants of any kind made to the public charter school and to expend or use the gifts, donations, or grants in accordance with the conditions prescribed by the donor. A gift, donation, or grant may not be accepted if the gift, donation, or grant is subject to a condition that is contrary to any provision of law or term of the charter contract.

(9) Money received by a public charter school from any source and remaining in the public charter school's accounts at the end of a budget year must remain in the public charter school's accounts for use by the public charter school in subsequent years."

24. Page 27, line 26.

Following: "schools."

Insert: "A gift, donation, or grant made directly to a public charter school or schools is not prohibited by this

subsection."

25. Page 38, line 10.

Following: "and"

Strike: "hire"

Insert: "approve"

Following: "establishment"

Strike: "or conversion"

26. Page 38, line 11.

Insert: "The appropriation must be made upon passage and approval  
of [this act]."

- END -